

Appl. No. : 10/785,572
Filed : February 24, 2004

REMARKS

In the Office Action, the Examiner objected to certain ones of the claims, further rejected the pending claims under the judicially created doctrine of obviousness-type double patenting and further rejected Claims 2, 3, 5, 6, 7 and 8 and 35 U.S.C. § 103 as unpatentable over the Bowen reference (U.S. Patent No. 5,943,482) in view of the Baggio reference (U.S. Patent No. 5,301,093) and further in view of the Meredith et al. reference (U.S. Patent No. 3,953, 768). By this paper, the Applicant has cancelled Claim 3 and has amended Claims 2 and 8 and has further added additional claims to highlight the subject matter that the Applicant believes is allowable over the art of record. Hence, reconsideration of the above-captioned application in light of the amendments and remarks contained herein is now respectfully requested.

By this paper, the Applicant has cancelled Claim 3 and has amended Claim 8 to correct the informalities noted by the Examiner. Moreover, the Applicant is submitting concurrently herewith a Terminal Disclaimer disclaiming the portion of this term that extends beyond the term of U.S. Patent No. 6,534,926 thereby overcoming the obviousness-type double patenting rejection made by the Examiner in the Office Action.

In the Office Action, the Examiner also rejected the claims under 35 U.S.C. § 103 as being unpatentable over Bowen in view of Baggio and further in view of Meredith. After carefully reviewing each of the references cited by the Examiner, the Applicant notes that none of these references either by themselves or in combination disclose the concept of a solid-state ballast circuit that includes at least one pair of oscillating transistors that are adapted to provide regulated power to start and operate the multiple twin-tube PL Fluorescent lamps as claimed by the Applicant in Claim 2 as amended. The primary distinction between the Applicant's invention as defined by the claims of the application and the art of record is that multiple lamps in a handheld light product are being initiated and operated by a solid-state ballast circuit which uses at least one pair of transistors that oscillate so as to regulate the power provided to the multiple fluorescent lamp or to otherwise limit the current provided to the multiple fluorescent lamp.

By using the oscillating transistor pair, rather than an open core and coil ballast, the weight of the hand-held device can be reduced which thereby allows the use of multiple fluorescent lamps in a handheld device at a weight that is acceptable to the average consumer. In contrast, all three of the references cited by the Examiner use an open core and coil ballast,

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generally comprised of a single large transformer in order to regulate the power that is provided to the lamp. For example, Bowen does not disclose any electronic circuitry and, therefore, does not teach or suggest the desirability of limiting current to the lamps through the use of an oscillating pair of transistors. Similarly, Baggio talks about using a conventional ballast (*See, e.g.*, Column 3, Lines 31-34). Moreover, with respect to Meredith, again, the current that is being provided to the lamps is being regulated by the ballast transformer 14 rather than an oscillating pair of transistors in the manner claimed by the Applicant. The circuit 42 is not a ballast circuit which limits current, rather it is a voltage sensing circuit 42 that shuts off the lamp when the batteries are becoming discharged (*See, e.g.*, Column 5, Lines 2-7).

As such, none of the references cited by the Examiner disclose the same type of solid state ballast circuit that is claimed by the Applicant and, thus, none of these lamps are the same type of light-weight handheld lamp as claimed by the Applicant. As such, the Applicant believes that Claim 2 as amended is allowable over the art of record. The Applicant has further submitted independent Claim 10 which incorporates similar limitations and is thus allowable for the reasons given above.

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Summary

Based upon the foregoing, the Applicant submits that Claims 2 and 10 are allowable over the art of record. The Applicant further submits that the remaining claims define additional patentable subject matter and are further allowable due to their respective dependencies on Claims 2 and 10. The Applicant therefore believes that the above-captioned application is in condition for allowance and requests the prompt allowance of the same. Should there be any impediment to the prompt allowance of this application that could be resolved by a telephone conference, the Examiner is respectfully requested to call the undersigned at the number shown below.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 2/24/05

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